## **EXHIBIT 9**

## GLOWACKI, ET AL v. HOWELL PUBLIC SCHOOL DISTRICT, ET AL

RONALD C. WILSON

September 10, 2012

Prepared for you by



Bingham Farms/Southfield • Grand Rapids
Ann Arbor • Detroit • Flint • Jackson • Lansing • Mt. Clemens • Saginaw

## RONALD C. WILSON September 10, 2012

1 A. My recollection is that it was already scheduled ahead 2 of time because they hadn't had a chance to present to 3 the entire staff and the entire student body, so it 4 was a two-part visitation. 5 Q. Was there ever consideration that perhaps this 6 presentation shouldn't be given to the students after 7 what occurred on the 20th of October of 2010? 8 A. No. 9 Q. I'm handing you what's marked as Exhibit 5. Do you 10 recognize this? 11 A. Yes. 12 Q. And how do you recognize this? 13 A. It's from our policy – from our Board policy. 14 Q. And which policy is that? 15 A. 5610, emergency removal, suspension and expulsion of 16 nondisabled students. 17 Q. Would it be fair to say that that is the Howell Public 18 Schools policy to which the guidelines in Exhibit 7 19 explains? 20 A. Repeat your question, please. 21 Q. In Exhibit 5, is that the policy that Exhibit 7, the 22 guidelines, explains? 23 A. I believe so, yes. 24 Q. A. I believe so, yes. 25 A. I believe so, yes. 26 A. No, no. Q. Is there ever any training specifically targeted for 16 has to sign that they've read all the school policies? A. No, no. Q. Is there ever any training specifically targeted for 16 teachers to understanding the policies and guidelines? A. No. Q. Has it ever been considered to have the NEOLA 18 representative come and give a presentation to 19 teachers specifically? 10 A. No. 11 Q. And why is this? 12 Q. And why is this? 12 A. Well, if you review our Board policy, it's a fairly 13 broad and large document. We do have — the NEOLA rep 14 comes twice a year and does a review with myself, and 15 then, you know, based on the recommendations from 16 NEOLA, we take that to the Board, you know, but 17 it's — given the number of unfunded mandates and 18 things that we are required to do, our in-service time 19 when we would normally present these kind of things to 19 teachers is usually focusing on student-achievement 20 issues or instructional issues. The policies are 21 available. Most organizations — my previous two 22 districts have use		Page 21	······································	Page 23
2 Q. And did you attend that presentation? 3 A. I don't recall at this point. I know initially – I before school, and then the second year you're referencing they did the high school. 3 Q. And are you familiar with the presentation that was given to teachers? 4 Q. And are you familiar with the presentation that was given to teachers? 5 A. Yes. 6 A. Yes. 6 A. Yes. 7 A. Sy Marcia you're talking about? 8 A. Yes. 8 A. Bo Marcia you're talking about? 9 Q. And that was prior to the 2010-2011 school year? 10 Q. And that was prior to the 2010-2011 school year? 11 A. Yes, I was aware of that presentation. 12 Q. And that was prior to the 2010-2011 school year? 13 A. Yes. 14 Q. And then do you recall that there was a presentation given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students that winter in the high school in given to students after this incident occurred?  Page 22  1 A. My recollection is that it was already scheduled ahead of time because they hadn't had a chance to present to the entire staff and the entire student body, so it was a two-part visitation.  Page 22  1 A. My recollection is that it was already scheduled abead of time because they hadn't had a chance to present to the entire staff and the entire student body, so it was a two-part visitation.  Page 24  1 A. My recollection is that it was already scheduled abead of time because they hadn't had a chance to present to the enti	1	A. Correct.	1	A. The policies are all as they're updated, are posted
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Schools policy to which the guidelines in Exhibit 7  18 things that we are required to do, our in-service time explains?  19 when we would normally present these kind of things to 20 A. Repeat your question, please. 21 Q. In Exhibit 5, is that the policy that Exhibit 7, the 22 guidelines, explains? 23 A. I believe so, yes. 24 things that we are required to do, our in-service time when we would normally present these kind of things to teachers is usually focusing on student-achievement issues or instructional issues. The policies are available. Most organizations my previous two districts have used NEOLA and and actually, the	17	Q. Would it be fair to say that that is the Howell Public	17	
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23 A. I believe so, yes. 23 districts have used NEOLA and and actually, the	ł			
	l			
; V. This our you explain to me now touchers are equation : A This district I was with Mount I leasant, also used	24	Q. And can you explain to me how teachers are educated	24	first district I was with, Mount Pleasant, also used
about the policies of Howell Public Schools? 25 NEOLA, too, and in 25 years I can't ever recall, as a	l .			

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er Leit er di Merzinan es derona es vo	Page 33	······································	Page 35
1	A. I'm not sure. That's what was presented to me, that	1	31 at the bottom
2	the spirit group wants to have an anti-bullying day.	2	A. Uh-huh.
3	Q. Did Aaron Moran ever state to you that it was the	3	Q is that the first e-mail from Sherri Hargrove?
4	Gay/Straight Alliance Student Club?	4	A. It looks like it based on the time and date that's on
5	A. No. No, he did not.	5	there.
6	Q. Did you review any documents prior to coming to the	6	Q. And what is the time and date of that e-mail?
7	deposition today?	7	A. October 19, 2010, at 7:19 p.m.
8	A. Yeah. I reviewed a few, yes.	8	Q. And who is Sherri Hargrove?
9	Q. And which documents did you review?	9	A. I believe it's a parent of one of our students.
10	A. I reviewed the suit that was filed by the Thomas More	10	Q. And what is she asking?
11	Law Center.	11	A. She is asking is it true that at Howell High School
12	Q. Would that be the complaint?	12	there is a gay pride rally of some kind.
13	A. The complaint, yes. And I also had a chance to look	13	Q. And at some point was this e-mail forwarded to you?
14	at our I believe all of the exhibits that we've	14	A. It looks like it was forwarded to me at 7:36 p.m.
15	given I looked at too.	15	Q. On October 19th?
16	Q. Did you have an opportunity to review any of your	16	A. Yes.
17	e-mails?	17	Q. And what did you do with the e-mail?
18	A. The e-mails related to this situation number in the	18	A. I forwarded it on to the high school principal to see
19	thousands and, interesting enough, when this whole	19	if he knew anything about it.
20	thing happened, I started getting hate mail from the	20	Q. And what was his response?
21	gay and lesbian community, and then after you filed	21	A. It says no. It says well, let's see. It says
22	your suit, I got an equal number of e-mails from the	22	this came in, actually, at the next the morning of
23	religious rights, and so I I am familiar with some	23	the 20th just before 7 o'clock. It says:
24	of the e-mails but, no, I didn't review the thousands	24	"No. The Gay/Straight Alliance Student Club has
25	that I've received regarding this matter.	25	a meeting next week. I heard today is
	Page 34		Page 36
1	Q. Did you review any of the internal e-mails between you	. 1	anti-bullying day. Wear purple. The GSA using
2	and the high school principal, Aaron Moran, or	2	this to stop homophobia. If I hear anything, I
3	A. No.	3	will let you know."
4	Q anyone else in the administrative Board or	4	Q. Do you know the GSA to be an acronym for the
5	A. No.	5	Gay/Straight Alliance Student Club?
6	MS. MERSINO: We'll mark this as Exhibit 31.	6	A. Yes.
7	MARKED FOR IDENTIFICATION:	7	Q. And it states in the e-mail that on the anti-bullying
8	DEPOSITION EXHIBIT 31	8	day people are to wear purple and they're using it to
9	10:57 a.m.	9	stop homophobia.
10	BY MS. MERSINO:	10	A. Yeah, that's what it says.
11	Q. If you could review what's been handed to you as	11	Q. And this was sent to you the morning of the 20th at
12	Exhibit 31, do you recognize what's in this exhibit?	12	6:52 a.m.?
13	A. Yes.	13	A. Correct. But recognize, you know, that I don't sit
14	Q. And how do you recognize it?	14	and wait for e-mails to come in, you know. I
15	A. It was an e-mail that came in on the 20th from Dan and	15	periodically will read my e-mails once or twice a day,
16	Sherri Hargrove, and it was originally addressed to	16	and so I don't even recall. Mr. Moran may have sent
17	myself, and I also believe a copy of it was sent to	17	this to me at 7:52 in the morning, but as far as when
18	our Board president, Debi Drick.	18 19	I saw it and when I responded to it, I don't recall.
19 20	Q. And this actually appears to be an e-mail strain; is	20	Q. So you have no recollection of when you opened this e-mail?
21	that correct?	21	A. No, no.
22	A. Yes. Q. And when did the first e-mail come in from Sherri	22	A. No, no. Q. Were you at your office that day?
23		23	A. Without going back and reviewing my calendar, I know I
24	Hargrove? A. 2:35 p.m. on October 20th of 2010.	24	was in the office part of that day.
25	Q. Okay. If you could go to the second page of Exhibit	25	Q. Which part were you in the office?
	2. Sauj. Il jou sould go to the boothe page of Exillor	· — — Fremilinesis	enter and a part of the state o

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togue and in California	Page 57		Page 59
1	A. No.	1	A. I'm not sure.
2	Q. And were you familiar with whether the student	2	Q. Can you describe the training with the teachers for
3	assembly put on in 2011 was a mandatory student	3	me?
4	assembly?	4	A. I did attend that and, essentially, it just went
. 5	MR. HENLEY: Which student assembly in 2011?	5	through the current case law and regarding, you
6	BY MS. MERSINO:	6	know, First Amendment rights and free speech and -
7	Q. With Dr. McEvoy?	7	which is presenting, you know, this is the
8	A. I don't recall whether it was mandatory or not.	8	information, this is what we you know, in these
9	Q. Who was involved in the planning of that?	9	situations, this is what we recommend.
10	A. I'm not sure. I can only venture a guess.	10	Q. And prior to February 2011, was there any First
11	Q. Were was it required that a parent be informed of a	11	Amendment training conducted at the school?
12	student assembly prior to it taking place?	1.2	A. Not that I'm aware of, no.
13	A. I don't know.	13	Q. And why was it decided that First Amendment training
14	Q. After the initial reprimand and punishment was issued	14	should take place at the school in February of 2011?
15	to Mr. McDowell, was there some point in time when it	15	A. Well, given the incident that occurred on the 20th and
16	was recalled?	16	then subsequent questions about, you know, how we
17	A. The suspension or the day off without pay was removed.	17	should handle those types of situations, it seemed
18	However, the discipline as far as the reprimand and	18	somewhat self-evident that we needed to go ahead and
19	the training stayed in place.	19	review this with our staff and make sure that we set
20	Q. It's my understanding that a different disciplinary	20	some clear guidelines to ensure that we don't have a
21	reprimand was replaced in the file and the original	21	repeat.
22	was taken out; is that correct?	22	Q. Are there clear guidelines in place now?
23	A. I believe that's correct, yes.	23	A. I think in referencing I think the guidelines that
24	Q. And you said that the training was in place, the First	24	are in place are clear, but I believe that
25	Amendment training?	25	in referencing Mr. Revore's presentation, he
	Page 58		Page 60
1	A. Yes.	1	specifically called out situations that you know,
2	Q. And has it taken place?	2	where if appropriate conduct, given those
.3.	A. Yes, it did.	3	situations, I think was called out or made more
4	Q. And can you describe it for me?	4	specific.
5	A. We had a school attorney come in and he did some	5	Q. So there were examples given during the training?
6	research on public or First Amendment rights, and	6	A. Uh-huh.
7	provided I believe two separate training sessions for	7	Q. Is that what you're referring to
8	Mr. McDowell, and we also provided it for all our	8	A. Yes.
9	teachers, too, at a later day.	9	Q or was there something else?
10	Q. And who put on the training?	10	A. It was an hour-long training and maybe more than an
11	A. Dave Revore, an attorney from the Thrun Law Firm.	11	hour and, like I said, there was a PowerPoint and
12	Q. Could you spell the last name?	12	attachment, and it was basically designed to clarify,
13	MR. HENLEY: I could. R-E-V-O-R-E.	13	you know, what our policies say and what our
14	BY MS. MERSINO:	14	expectations are.
15	Q. And when did this occur?	,15	Q. And was this training mandatory?
16	A. I believe it was February of 2011, I believe.	16	A. Uh-huh.
17	Q. Is there any written documentation of this?	17	MR. HENLEY: That's a yes?
18	A. Yes. There would have been a handout and it was – I	18	THE WITNESS: Yes.
19	believe it was done on a professional development day	19	BY MS. MERSINO:
20	so it would have been memorialized in our professional	20	Q. I should remind you. My fault. I apologize.
21	development for that day.	21	Now, after this occurred, after this
22	Q. You said that Mr. McDowell had an individualized	22	training, did you ever go back to the drawing board
23	training?	23	with your policies to adapt or change any Howell
24	A. Correct.	24	Public School policies?
25	Q. And how many people were present at the training?	25	A. We had asked counsel to review our policies to make